

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

KYAL TURNER,

Plaintiff,

vs.

Case No. 15-CV-465-FHM

CAROLYN W. COLVIN,
Acting Commissioner, Social Security
Administration,

Defendant.

OPINION AND ORDER

On September 1, 2015, a scheduling order was entered in this case setting February 2, 2016 as the date Plaintiff's opening brief was due for this appeal from a decision by the Social Security Administration denying Plaintiff's application for disability benefits. [Dkt. 8].

On January 7, 2016, the court conditionally granted counsel's motion to withdraw. [Dkt. 15]. The order required that either new counsel enter an appearance in the case, or Plaintiff file a notice of proceeding *pro se* on or before January 14, 2016. Plaintiff was reminded that the opening brief was due by February 2, 2016 and advised that failure to file a timely brief may result in dismissal of the case. *Id.*

On March 1, 2016, the court entered an order: noting Plaintiff's failure to comply with the January 7 order; noting the failure to file an opening brief; extending the date for filing an opening brief to March 16, 2016; and cautioning Plaintiff that failure to comply with the order may result in dismissal of the case.

As of this date, April 4, 2016: Plaintiff has not filed a notice of proceeding *pro se*; there has been no entry of appearance by counsel; and no opening brief has been filed.

The foregoing demonstrates Plaintiff has repeatedly failed to follow the orders of the court. The court finds, therefore, that the case should be dismissed for failure to comply with the court's orders.

The case is DISMISSED without prejudice. Plaintiff's former counsel is hereby directed to timely forward this order to Plaintiff.

SO ORDERED this 4th day of April, 2016.


FRANK H. McCARTHY
UNITED STATES MAGISTRATE JUDGE